THE HONOURABLE SRI JUSTICE C.V. RAMULU

WRIT PETITION NO.524 OF 2007

DATED: 04-01-2007

Between:

Chelikam Srihari

.. Petitioner

and

The District Collector, Nellore and others.

.. Respondents

THE HONOURABLE SRI JUSTICE C.V. RAMULU

Writ Petition No.524 OF 2007

ORDER:

This writ petition is filed seeking a mandamus declaring the action of the 1st respondent in not passing any orders either in revision or in stay petition filed by the petitioner against the order of the 2nd respondent in Rc.E.168/2006 dated 11.12.2006 where under the order of the 3rd respondent dated 28.02.2006 in Rc.C.3634/2005 cancelling the authorization of the petitioner against Fair Price Shop of Dakkili village and Mandal, Nellore District was confirmed, as arbitrary and illegal.

There is no necessity of going into all the details. Suffice it to notice that the petitioner is the Fair Price Shop Dealer of Dakkili village and Mandal, Nellore District. While so, his authorization was cancelled by the proceedings of the Revenue Divisional Officer, Gudur dated 28.02.2006. Aggrieved by the same, the petitioner carried the matter in appeal before the Joint Collector, Nellore. The Joint Collector, Nellore dismissed the said appeal by an order dated 11.12.2006. However, during the pendency of the appeal, the order passed by the Revenue Divisional Officer was suspended and the petitioner was permitted to run the Fair Price Shop. Aggrieved by the said order dated 11.12.2006 of the Joint Collector, the petitioner filed a revision before the District Collector and the same is pending. He also

filed a stay petition along with the said revision. According to the petitioner, neither the stay petition is disposed of nor the revision is taken up for hearing. Further, he states that the cancellation order was not given effect during the pendency of the appeal before the Joint Collector and he is continuing the business as of now.

Under these circumstances, without expressing any opinion on the merits of the case, the District Collector, Nellore is directed to dispose of the revision purported to have been filed by the petitioner, within a period of six (6) weeks from the date of receipt of a copy of this order and, till such time, the petitioner may be permitted to run the Fair Price Shop.

With the above direction, the writ petition is disposed of at the stage of admission. There shall be no order as to costs.

C.V. RAMULU, J

4th January 2007.

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